

In the United States Court of Federal Claims

No. 19-1796C

(E-filed: August 11, 2020)

_____)
AMAZON WEB SERVICES, INC.,)
)
Plaintiff,)
)
v.)
)
THE UNITED STATES,)
)
Defendant,)
)
and)
)
MICROSOFT CORP.,)
)
Intervenor-defendant.)
_____)

ORDER

On August 10, 2020, defendant filed an unopposed motion for an enlargement of time of thirty days, to and including September 16, 2020, for the United States Department of Defense (DOD) to issue its remand decision, for the filing of a joint status report, and for proceedings in this matter to remain stayed. See ECF No. 217. Therein, defendant reports that during the remand, DOD “has identified areas of concern with respect to the revised proposals received from both offerors, resulting in multiple solicitations amendments, rounds of proposal revisions, and exchanges with the offerors.” Id. at 1. In evaluating each offeror’s proposals for its latest amendment (Amendment 0010), DOD “has recently identified the need to reopen limited discussions related to certain aspects of the offerors’ proposals. After permitting offerors to submit questions, [DOD] anticipates requiring final proposal revisions by August 12, 2020.” Id. at 2.

Following such revisions, defendant states that DOD “will complete its pricing evaluation, and will provide both technical and pricing reports and briefings to the Source Selection Advisory Council and the Source Selection Authority. Once the Source Selection Authority makes an award decision, that decision will be vetted through

[DOD]’s peer review process followed by the preparation of award documents and the award decision.” *Id.* at 2-3. Thus, defendant anticipates that the re-evaluation process will be completed by early September and requests a thirty-day enlargement of time of the current remand period, along with an extension of time to file the parties next joint status report within five days after the conclusion of the remand proceedings. *See id.* at 3.

Accordingly, for good cause shown:

- (1) Pursuant to Rule 52.2(c)(1) and Rule 6 of the Rules of the Court of Federal Claims (RCFC), defendant’s unopposed motion for an enlargement of time for the remand of this matter to the DOD, to and including September 16, 2020, ECF No. 217, is **GRANTED**;
- (2) Pursuant to RCFC 52.2 and 28 U.S.C. § 1491(a)(2) (2012), this matter shall continue to be **REMANDED** to the United States Department of Defense to complete the tasks outlined in the court’s April 17, 2020 order, ECF No. 203, until **September 16, 2020**;
- (3) The clerk’s office is directed to continue the **STAY** this case until further order of the court; and
- (4) Pursuant to RCFC 52.2(e), on or before **September 23, 2020**, the parties are directed to **CONFER** and **FILE** a **notice**, setting forth whether the final decision or other action on remand affords a satisfactory basis for disposition of the case; or whether further proceedings before the court are required and if so, the nature of such proceedings to include a proposed schedule to govern this case going forward.

IT IS SO ORDERED.

s/Patricia E. Campbell-Smith
PATRICIA E. CAMPBELL-SMITH
Judge